

analyze the ADA violations. My reports are a compilation of my professional opinions built upon my requisite licensing, decades of experience, and professional acumen.

6. In compiling my reports, I took numerous measurements and estimations of the front sidewalk, the raised front steps that lead into the building, the depressed steps leading into Benny's Thai and the bottom level spaces, the entryways leading into the eight different spaces, the interior of the retail spaces and restaurants, and the restrooms of the restaurants.

7. The interior report devotes significant time to explaining how all of the stores (including the four open and the four vacant stores) have many ADA violations and discussing the repairs of them into ADA compliance and the effects. This includes Affina Nail Spa, Wall Street Bath & Spa, Bennie's Thai Cafe, Mr. Rafaels Cleaners and Tailoring, Isaak Fulton Hair Cutter, Asia Wok, My Opticians, Nycity Buyers and Tandoor Palace. This includes non-compliant bathrooms and entryways. This includes restroom and restroom access in Affina Nails, restroom and restroom access in Tandoor Palace Restaurant, Entry way access, space way maneuverability, facility access, and restroom and restroom access in Russian Bathhouse.

8. Before compiling and submitting my reports to Mr. Finkelstein for 82-88 Fulton Street, I had never seen, nor was I ever privy to, Mr. Kratchman's new monetary breakdown of wheelchair lift installation.

9. I do not agree that Wheelchair lift installation will cost \$1,500,000.00 as the defendant architect Mr. Kratchman claims in his new affidavit.

10. Total Lift installation should cost in the range of approximately \$100,000

to \$200,000, depending on the specific plan agreed upon and implemented schematic approach, not "\$1,500,000."

11. In my exterior report, I originally proposed that two lifts be installed because of the configuration of the building. As I explained, the lifts may be installed and address a large portion of the exterior accessibility issues. As I explained, they can definitely be installed within the building's envelope. This may take over some retail space. This could be greatly minimized by having two lifts on both sides of the building to access the different levels.

12. I do not believe that a custom "5 stop lift" is required as a simpler solution is more feasible and more cost effective, putting the money figure closer to \$100,000.

13. In looking at the estimates and plans provided by the defendant architect, I believe that a simple solution using a Savaria V1504 enclosed handicap lift, or something similar is more than sufficient to satisfied the ADA requirement for a wheelchair. The maximum size of the clear shaft is only 59-1/2" x 61-1/8".

14. There will be some space lost for some of the retail store, but not the 500 plus square feet, which the defendant architect envision. My estimate would be a lost, of 25sf in front of each lift. Which would be approximately 100sf total.

15. There will be a lost of two exterior staircase, however each level will still be accessible by other stair or the handicap lift.

16. The lift which I have shown is not a inclining platform, but a vertical enclosed lift. Which basically meets the requirements of the DOB as mention by the defendant architect.

17. As I explained, The exact amount of space required for the lift to

operate and rest would be dependent on how the lift is designed and oriented and would be determined when studied on plan level detail.


18. In my reports, I reserved judgment as to the exact method of installation and other repairs, as that would be beyond my scope of work until the project is confirmed, which would entail a detail plan level design study. As I explained, the building is located, in a landmark district, which requires the approval of NYC Landmarks, prior to any approval from the NYC Department of Buildings. The Department of buildings will not have issue with the approval of a handicap lift, as long, as it meets current building code.

19. I was retained to be an expert in this case on October 21, 2020.

20. I personally met defendants' architect and the lawyer Mr. Silversmith on the day of my inspection October 22, 2020.

21. I am competent and ready for trial, whenever I may be called as a witness.

Dated: Brooklyn, New York
January 4, 2021


By: _____
Billy Chen R.A.